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Attachment 3
PETITION FOR REVIVAL PER 37 CFR 1.137(B)
"UNINTENTIONAL DELAY"

Pertaining to:

Application: 09/955792

Patent Name: Instant Musician, Recording Artist and Composer

Inventor: Bernard H. Browne, Jr.

Summary

Included in this petition, as required by 37 CFR 1.137(b), are the following:

- (1) Description of material requested in the last advisory action (and provided) that was judged late by the USPTO.
- (2) Petition fee of \$650.00 as set forth in ¶ 1.17(m).
- (3) Statement that the entire delay in filing the required reply was unintentional.

1. MATERIAL REQUESTED AND PROVIDED IN LAST ADVISORY ACTION

The last advisory action (mailed on 2/13/02 more than a month after our final action due date) requested that our amended application (with the additional detail requested) comply with rule 37 CFR 1.121. Thus, on May 3, 2002 we mailed 209 pages of marked up and clean versions of the amended patent material in compliance with 37 CFR 1.121. This material provided included:

5/3/02 Mailing Attachment 1: Marked up original patent application abstract, specification, claims and drawings showing changes that occurred in our 8/31/00 initial filing with our 5/23/01 amendment that provided more patent detail as was requested.

5/3/02 Mailing Attachment 2: Clean versions of the amended patent abstract, specification, claims and drawings.

5/3/02 Mailing Attachment 3: Clean version of the amended patent application with renumbered drawings in compliance with Rule 37 CFR 1.121 and "amended" removed from claims.

5/3/02 Mailing Attachment 4: Cross reference table correlating drawing numbers of: (a) Original patent application, (b) Amended application, and (c) Clean version of amended application with renumbered drawing numbers.

The inventor will promptly furnish additional copies of any of the above material if requested.

Adjustment date: 00/00/0000
06/16/2003 AWONDAF1 00000031 09655792
01 FC:2453 -650.00 OP

Refund Ref:
05/26/2003 CKHLOK 0000128490

CHECK Refund Total: \$650.00

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2. PETITION FEE

A check for \$650.00 per 37 CFR 1.17(m) applicable to a small entity is attached.

3. STATEMENT THAT THE ENTIRE DELAY WAS UNINTENTIONAL

Nothing could be more truthful than the desire of this inventor to rapidly wrap up this invention as quickly as possible so I can get back to writing and publishing books covering the Internet. I had unintentionally assumed that it was not required to keep up with detailed patent rules after I submitted this invention on August 31, 2000. So when an advisory action was mailed to me on February 13, 2002 which was 1 month and 9 days after the due date of the final action request, I unintentionally assumed that another three months was provided — since I could not turn back the clock.

I hereby solemnly swear that the above statements are true and that entire delay in properly responding to the requested office action on February 13, 2002 was totally unintentional.

Signed:

Bernard H. Browne, Jr.
Bernard H. Browne, Jr., Inventor

Date: 6-12-03

Statement hereby witnessed by: June R. Braids Date: 6-12-03

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JUN 17 2003
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STATE OF FLORIDA
COUNTY OF PINELLAS

June R. Braids

